



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8
AP
10/28/02

Applicants : Fan et al.

Serial No. : 09/879,248

Cnfrm. No. : 4829

Filed : June 12, 2001

For : HYPERSENSITIVE RESPONSE ELICITING
DOMAINS AND USE THEREOF

Examiner:
M. Ibrahim

Art Unit:
1638

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RESPONSE TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Dear Sir:

In response to the October 2, 2002, office action, applicants hereby elect Group I (i.e., claims 1, 2, 47, and 48) with traverse. Applicants submit that it is inappropriate to impose a restriction requirement here, because the various groups of invention identified in the restriction requirement are related to one another and would necessarily require common areas of search and consideration. Accordingly, the restriction requirement should be withdrawn.

Respectfully submitted,

Date: October 20, 2002

Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
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C rtificate of Mailing - 37 CFR 1.8(a)	
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Date <u>October 21, 2002</u>	<u>Jo Ann Whalen</u> Jo Ann Whalen

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PATENT
Docket No.: 21829/81 (EBC-006)

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Sir:

Transmitted herewith in the above-identified application are:

- ☒ A Response to Restriction Requirement; and
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1138. **A duplicate copy of this sheet is enclosed.**

Date: October 29, 2002

Michael L. Goldman
Registration No. 30,727

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